

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

IN RE: AQUEOUS FILM-FORMING
FOAMS PRODUCTS LIABILITY
LITIGATION

) MDL No. 2:18-mn-2873-RMG

) This Document Relates to:

) See list of plaintiffs and case numbers included
) below

**SUPPLEMENTAL REPLY IN SUPPORT OF DEFENDANTS' MOTION TO DISMISS
FOR FAILURE TO SERVE TURNOUT GEAR PLAINTIFF FACT SHEETS**

The moving Defendants (“Defendants”)¹ respectfully submit this Supplemental Reply in Support of their Motion to Dismiss (Dkt. 6472) to reflect material developments that occurred after their original reply was filed (Dkt. 6537).

Certain Plaintiffs who are subject to the motion to dismiss have, since the reply was filed, submitted Turnout Gear Plaintiff Fact Sheets, thereby mooting the motion as to those Plaintiffs.²

¹ The following Defendants join in this motion: AllStar Fire Equipment; CB Garment, Inc.; Fire-Dex LLC; Globe Manufacturing Company, LLC; Honeywell International Inc.; Honeywell Safety Products USA, Inc.; Innotex Corp.; Lakeland Industries, Inc.; L.N. Curtis & Sons, Inc.; Lion Group, Inc.; Mallory Safety & Supply, LLC; Milliken & Company; Morning Pride Manufacturing, LLC d/b/a Honeywell First Responder Products; MSA Safety Sales, LLC; Municipal Emergency Services, Inc.; Narcote Holding Corporation; Narcote LLC d/b/a Stedfast USA, Inc.; Northeast Rescue Systems, Inc.; PBI Performance Products, Inc.; Ricochet Manufacturing Co., Inc.; Safety Components Fabric Technologies, Inc.; Safety Components, Inc.; Southern Mills Inc. dba Tencate Protective Fabrics; Sperian Protective Apparel USA, LLC; Stedfast USA Inc.; Veridian Limited; Witmer Public Safety, Inc.; and W. L. Gore & Associates, Inc. (“Defendants”).

² These Plaintiffs are: Bauer, Timothy (2:24-cv-03027); Bryson, James T. Jr. (2:24-cv-03027); Casselman, Tracey (2:24-cv-03027); Chaussee, Mark (2:24-cv-03027); Clark, James (2:24-cv-03027); Freeman, Will (2:24-cv-03026); Frey, Fred (2:24-cv-03026); Gerlach, Keith (2:24-cv-03026); Harper, Nicholas Wendel (2:24-cv-03026); Hartley, Charles (2:24-cv-03026); Jennings, Milton Ray (2:24-cv-03026); Lain, Mark Allen (2:24-cv-03025); Machiela, Alan (2:24-cv-03025); Ross, Douglas Anthony (2:24-cv-03024); Stoutamire, Conrad (2:24-cv-03024); Bilancione, Christopher (2:24-cv-03392); Anderchin, Scott (2:24-cv-03194); Barnes, BJ (2:24-cv-03194); Baucas, Kristen Margaret (2:24-cv-03194).

Defendants' motion is still pending regarding the other Plaintiffs identified in the motion who still have not served completed Turnout Gear Plaintiff Fact Sheets. These Plaintiffs are listed below for the Court's convenience:

Plaintiff	Docket No.	MDL Transfer Date	PFS Due Date	Delinquency Letter Sent
Yerg, Jody obo Keith Yerg	2:24-cv-02971	5/10/2024	8/16/2024	9/25/2024
Allen, David	2:24-cv-03027	5/14/2024	8/20/2024	9/25/2024
Allen, James Richard	2:24-cv-03027	5/14/2024	8/20/2024	9/25/2024
Anderson, Crockett	2:24-cv-03027	5/14/2024	8/20/2024	9/25/2024
Bowmaster, Albert	2:24-cv-03027	5/14/2024	8/20/2024	9/25/2024
Campbell, Robert	2:24-cv-03027	5/14/2024	8/20/2024	9/25/2024
Corso, Frank	2:24-cv-03027	5/14/2024	8/20/2024	9/25/2024
Heard, Quinton	2:24-cv-03026	5/14/2024	8/20/2024	9/25/2024
Hunter, Kenyatta	2:24-cv-03026	5/14/2024	8/20/2024	9/25/2024
Kelly, William	2:24-cv-03025	5/14/2024	8/20/2024	9/25/2024
Lockner, William	2:24-cv-03025	5/14/2024	8/20/2024	9/25/2024
McClellan, Patrick	2:24-cv-03025	5/14/2024	8/20/2024	9/25/2024
Miller, Sherlock	2:24-cv-03025	5/14/2024	8/20/2024	9/25/2024
Morley, Donald	2:24-cv-03025	5/14/2024	8/20/2024	9/25/2024
Pearl, Roy Elliot	2:24-cv-03025	5/14/2024	8/20/2024	9/25/2024
Schieber, Tammy L.	2:24-cv-03024	5/14/2024	8/20/2024	9/25/2024
Smith, Carl Dennis	2:24-cv-03024	5/14/2024	8/20/2024	9/25/2024
Stern, William Lloyd Jr.	2:24-cv-03024	5/14/2024	8/20/2024	9/25/2024
Wooten, Shawn	2:24-cv-03024	5/14/2024	8/20/2024	9/25/2024
Kerkeski, Gale Scott	2:24-cv-03392	6/7/2024	9/13/2024	9/25/2024
Owens, Bruce	2:24-cv-03025	5/14/2024	8/20/2024	9/25/2024
Wilborn, Daniel W. III	2:24-cv-03024	5/14/2024	8/20/2024	9/25/2024

Dated: January 16, 2025

Respectfully submitted,

/s/ Mark Cheffo

Mark S. Cheffo

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DCC Turnout Gear Defendants Liaison

CERTIFICATE OF SERVICE

I hereby certify that on January 16, 2025, a copy of the foregoing was served electronically via the Court's CM/ECF system.

/s/ Mark Cheffo
Mark S. Cheffo